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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,390	11/29/2001	Heinz Baier	AUS920010805US1	7321

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EXAMINER

TON, DAVID

ART UNIT	PAPER NUMBER
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2133

DATE MAILED: 06/28/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/998,390	<b>Applicant(s)</b> BAIER ET AL.	
	<b>Examiner</b> David Ton	<b>Art Unit</b> 2133	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment.. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-13 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. Claims 1-13 are presented for examination.

***Claim Rejections - 35 USC ' 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Johnson patent no. 4,811,345, in view of Kiani-Shabestari et al. patent no. 5,604,888.

5. As to claim 1, Johnson teaches the invention substantially as claimed, including an apparatus for testing one or more processors, the apparatus comprising a host computer means [external processor, col. 10, lines 11-20] for suspending [HALT mode, col. 6 lines 39-59] the one or more processors [at least one single chip microprocessor, col. 2 lines 13-24] and controlling the input to the one or more processors, the host computer comprising an interface means [col. 2 lines 25-66].

However, Johnson does not explicitly teach a test motherboard means connected to the host computer means via the interface means, and configured for

receiving and interfacing to the one or more processor, wherein the interface means transfers signal of the host computer means to and from the test motherboard means.

Kiani-Shabestari teaches a reconfigurable interface including a motherboard means connected to the host computer means via the interface means [see Fig. 1 and col. 5 lines 4-20], and configured for receiving and interfacing to the core chip, wherein the interface means transfers signal of the host computer means to and from the test motherboard means [col. 5 lines 4-20].

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to modify the teachings of Johnson to include a reconfigurable interface as taught by Kiani-Shabestari. This modification would have been obvious and a person having ordinary skill in the art would have been motivated to do so because it would provide a reconfigurable interface for testing the microprocessor.

6. Claim 2 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Johnson patent no. 4,811,345, in view of Kiani-Shabestari et al. patent no. 5,604,888 and further in view of Testa et al. patent no. 5,263,139.

7. As to claim 2, Johnson and Kiani-Shabestari do not teach the motherboard comprises a bus interface means for translating signals uses by the host computer to signal used by the one or more processors and vice versa.

Testa teaches a multiprocessor bus to system interconnect bus interface device (MSI) 32 enables communication between the multiprocessor bus 76 and the system interconnect bus 74. The MSI 32 translates access requests between the multiprocessor bus 76 and the system interconnect bus 74 [see col. 4 lines 45-56].

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to modify the teachings of Johnson and Kiani-Shabestari to include a bus interface device for translating access requests between the multiprocessor bus and the system interconnect bus as taught by Testa. This modification would have been obvious and a person having ordinary skill in the art would have been motivated to do so because it would enables communication between the multiprocessor bus and the system interconnect bus.

### ***Allowable Subject Matter***

8. Claims 4-13 are allowed.

9. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

10. The prior art of record and not relied upon is considered pertinent to applicant's disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Ton, whose telephone number is (703) 306-3043. The examiner can normally be reached on Monday through Thursday from 6:30 AM to 4:00 PM and alternate Friday from 6:30 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady, can be reached at (703) 305-9595. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DT

June 17, 2004

**DAVID TON  
PRIMARY EXAMINER**